

WLPP No.	
DA No.	DA-2020/80
Proposal	Demolition of existing structures and construction of a seven (7) storey mixed use development comprising 34 residential units and two (2) commercial tenancies with 50 parking spaces
Property	290-294 Keira Street, WOLLONGONG NSW 2500
Applicant	290 Keira Street Pty Ltd
Responsible Team	Development Assessment and Certification - City Centre Major Development Team (VD)

ADDENDUM REPORT

1. REASON FOR CONSIDERATION BY LOCAL PLANNING PANEL

The proposal was originally referred to Local Planning Panel for determination on the 20 October 2020 pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. Under Schedule 2 of the Local Planning Panels Direction of 1 March 2018, the proposal classified as sensitive development in accordance with Part 4 (b) as it is development to which SEPP 65 Design Quality of Residential Flat Buildings applies and is 4 or more storeys in height.

2. MAIN ISSUES AND COUNCIL RECOMMENDATION

The council report provided to the Wollongong Local Planning Panel (WLPP) on 20 October 2020 recommended the application be approved subject to conditions of approval.

3. PANEL CONSIDERATION AND DECISION

The Panel resolved to defer the determination of the matter to seek further information/design amendments in relation to the overland flow path and pedestrian entry into the building. Concern was raised as to whether the main entry to the building is compatible with the proposed overland flow path.

The Panel's Commentary is provided at Attachment 1.

4. INFORMATION REQUEST

The applicant submitted the requested information on 3 November 2020, satisfying the deadline established by the Panel. The applicant submitted a response letter (30 October 2020) from Rienco Consulting (Hydraulic Engineers) along with details for the security fencing.

5. ADDITIONAL INFORMATION

The following comments were received from the Applicant's Hydraulics Consultant in response to matters raised by the Panel:

WLPP:

- *The Panel is concerned about the main entry to the commercial and residential areas, in particular:*
 - *The location of the proposed overland flow path during the PMF event is not considered to be an optimal solution and may not be compatible with pedestrian access.*

COMMENT:

- The site is only marginally affected by overland flow in the PMF flood event, but not affected by the 1 in 100 year ARI flood event. This involves overland flow arriving from the west, as sheet flow which passes through portions of the site.
- It is a requirement of Council that this overland flow be managed through the development site, similar to its pre-developed state. Through the proposed building, peak flow depths are no more than 500mm (and an average 300mm) for the PMF event, which is estimated to be a 1 in 10 million year event.
- Whilst the likelihood of this event occurring is extremely limited, if it did occur, there would be no need for pedestrian access to and from this lobby space for such an event (as the surrounding street network as modelled would be entirely inundated with overland flow also).
- In such an event, isolation and refuge in place would be undertaken by residents, and access and egress to and from the site would not be possible. Therefore, it is unlikely that there would be any conflict between pedestrians and this overland flow path at any time.

Council also requested the applicant to explore the possibility of providing a plenum to address the flooding issues. Rienco advised that the two-slab option is a better option where the site is affected by frequent flooding and rare/extreme flooding.

To construct an additional ground floor slab at a level to cater for the PMF event would require ground-level commercial shops to be raised. The applicant's Planning Consultant claims that from an urban design perspective, this would alienate the shops from the streetscape level and provide a sub optimal public domain interface and outcome. This is consistent with Design Review panel advice.

WLPP:

- *The poor quality of the main entry from Keira Street, with security fencing and lack of activation, does not provide a pleasant arrival for residents and visitors.*

COMMENT:

Revised plans have been submitted (Attachment 2) by Couvaras Architects (Sheet 4 and 13, Issue J, 10/11/20) which sets the security fencing/entry point further back into the lobby space in order to provide a more open sense of arrival for residents and visitors. Details of the proposed security fencing has been added to the plans which details full height vertical steel blades (10mm x 80mm x 80mm gaps) gate and screen in black.

Couvaras Architects have also provided photos of current examples where this type of security screening has been used in other commercial spaces and mixed use buildings the architects have been involved with (Attachment 3).

6. ASSESSMENT

The response letter submitted from Rienco Consulting (30 October 2020) has been reviewed by Council's Stormwater Engineer and the following comments are made:

I have reviewed the letter Ref 20111 002 Rev 1 dated 30th October 2020.

I concur that the site is not affected for all events up to and including a 1 in 100 year ARI flood, but marginally affected by overland flow in the Probable Maximum Flood. I am satisfied with the response in the letter.

Accordingly, Council's Stormwater Engineers are satisfied with the current design proposal to address the PMF event and Clause 7.3- Flood Planning requirements of Wollongong LEP 2009.

In response to the proposed security fencing, the revised design addresses the Panel's concerns in relation to the impact of this fencing on the streetscape. The revised design has setback the fencing into the building to make it less obtrusive on the streetscape. There are not anticipated to be any urban design impacts from this type of fencing as can be seen from photos of current examples of this type of fencing used in other similar constructed developments.

7. CONCLUSION

The amended application has been assessed as satisfactory having regard to Section 4.15(1) of the Environmental Planning and Assessment Act 1979, the provisions of Wollongong Local Environmental Plan 2009 and all relevant Council DCPs, Codes and Policies. Council is satisfied that the current design meets the required flood design requirements under Clause 7.3 of the Wollongong LEP2009 and has adequately responded to the Panel's concerns and requests for further information.

8. RECOMMENDATION

It is recommended that the amended application be approved subject to the following:

- Amended Condition 1 to incorporate updated Plans, in particular Sheet 4 and 13, Issue J, 10/11/2020 in relation to the entry treatment to Keira Street.

ATTACHMENTS

- 1- Determination and Statement of Reasons
- 2- Updated Plans by Couvaras Architects (Sheet 4 and 13, Issue J, 10/11/20)
- 3- Photographic examples of gate precedent prepared by Couvaras Architects

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	20 October 2020
PANEL MEMBERS	Robert Montgomery (Chair), Helena Miller, Larissa Ozog, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 20 October 2020 opened at 5:00pm and closed at 7:04pm.

MATTER DETERMINED

DA-2020/80 – Lot 1 DP 799059, 290-294 Keira Street, Wollongong (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

No submitters addressed the Panel.

The Panel heard from the applicant's architect, town planner and owner.

PANEL CONSIDERATION AND DECISION

The Panel considered the matters listed at item 7, and the material presented at the meeting and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to defer the development application as described in Schedule 1 to allow the applicant the opportunity to provide additional information/design amendment in relation to the overland flow path and pedestrian entry into the building. In particular, concerns were raised as to whether the use of the main entry to the building is compatible with the proposed overland flow path.

The decision was unanimous.


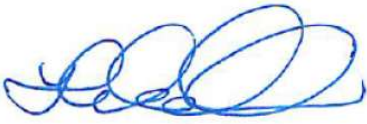


REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- Overall, the Panel considers the proposal to be a reasonable response to the statutory controls applying to the land. This is subject to the Panel's consideration of the Clause 4.6 Request for Exceptions to Building Separation Requirements under Clause 8.6 of WLEP 2009.
- The Panel is concerned about the main entry to the commercial and residential areas, in particular:
 - The location of the proposed overland flow path during the PMF event is not considered to be an optimal solution and may not be compatible with pedestrian access.
 - The poor quality of the main entry from Keira Street, with security fencing and lack of activation, does not provide a pleasant arrival for residents and visitors.

DEFERRAL

The development application was deferred to allow the applicant to address the matters detailed above in consultation with Council staff. The additional information/amended design should be submitted to Council within twenty-one (21) days. The application can be determined following receipt of additional information and a supplementary report by way of Schedule 2 Clause 26 of the Environmental Planning and Assessment Act 1979 – Transaction of Business Outside Meetings.

PANEL MEMBERS	
 Robert Montgomery (Chair)	 Helena Miller
 Larisa Ozog	 Bernard Hibbard (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2020/80
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of a seven (7) storey mixed use development comprising 34 residential units and two (2) commercial tenancies with 50 parking spaces
3	STREET ADDRESS	290-294 Keira Street, WOLLONGONG NSW 2500
4	APPLICANT	290 Keira Street Pty Ltd
5	REASON FOR REFERRAL	Pursuant to clause 2.19(1)(a) of the Environmental Planning and Assessment Act 1979. The proposal is captured by clause 4(b) of Schedule 2 of the Local Planning Panels Direction of 30 June 2020, as the proposal is development to which State Environmental Planning Policy No. 65 applies.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy No 55 – Remediation of Land ○ State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ Wollongong Local Environment Plan 2009 • NSW Apartment Design Guide • Wollongong Section 94A Development Contributions Plan • Development control plans: <ul style="list-style-type: none"> ○ Wollongong Development Control Plan 2009 • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report dated 20 October 2020 • Written submissions during public exhibition: 1 • Verbal submissions at the public meeting: None
8	SITE INSPECTIONS BY THE PANEL	Site inspection 20 October 2020. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Robert Montgomery (Chair), Helena Miller, Larissa Ozog, Bernard Hibbard (Community Representative) ○ <u>Council assessment staff</u>: Pier Panozzo, Vanessa Davis
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report



BASIX Project Commitments		
Proposed:	Apartments	
Address:	290-294 Keira Street, Wollongong	
Lot No/ DP:	1/799039	
Water (All dwellings)		
Fittings	Specification	
Shower head rating	3 star (≥ 6 l/min or 7.5 l/min)	
Toilet rating	3 star	
Kitchen taps rating	3 star	
Bathroom taps rating	3 star	
Clothes washer	3 star	
Dishwasher	3 star	
Alternative water details		
Rainwater tank size	5000L	
Connected to:	Garden and lawn areas	Yes
	All toilets	No
	Laundry	No
Thermal Comfort		
External walls		Requirements
Brick veneer	Internal unit wall to hallway	Light colour, R1.5 Bulk + Anti-glare Foil
Brick veneer		Dark colour, R1.5 Bulk + Anti-glare Foil
ALC, Lined		Light colour, R1.5 Bulk + Anti-glare Foil
Internal walls		
Crack wall, direct fix plasterboard	No insulation	
Partition walls		
ALC, plaster on studs	No insulation	
Ceiling		
Internal ceiling - Concrete, plasterboard	No insulation	
External ceiling - Concrete, plasterboard	L6 R3.5 bulk insulation	
Roof		
Waterproofing membrane	L6	Medium Colour (solar absorbance 0.475-0.7) No insulation, no air gap
Floors		
Concrete slab on ground	No insulation	
Windows		
Aluminium frame ALM-000-01	1.06, 2.06, 3.06, 4.06, 5.06, 6.04	Performance glazing with U-value 6.7 and SHGC 0.7 for Group B windows (double hung, fixed, louvers and sliding type windows/doors)
Aluminium frame ALM-000-03	All other units	Performance glazing with U-value 5.8 and SHGC 0.58 for Group B windows (double hung, fixed, louvers and sliding type windows/doors)
Aluminium frame ALM-000-04	6.01, 6.03	Performance glazing with U-value 5.6 and SHGC 0.43 for Group B windows (double hung, fixed, louvers and sliding type windows/doors)
Aluminium frame ALM-004-03	1.06, 2.06, 3.06, 4.06, 5.06, 6.04	Performance glazing with U-value 4.3 and SHGC 0.53 for Group B windows (double hung, fixed, louvers and sliding type windows/doors)
Downlights		
Downlight Covers	Approved fireproof downlight covers must be installed to all downlights in ceilings where insulation is installed.	
Lighting specification	Downlights are rated without downlights	
Overshadowing details	Adjoining units calculated into model calculations	
Site		
Orientation of nominal north elevation	As shown on plans	
* Approved fireproof downlight covers HAVE been specified, which can be fully covered by insulation. Ceiling penetrations for exhaust dampers have been allowed to all bathrooms, ensuites and internal laundry's at the rate of 0.04 meters squared per exhaust fan penetration. If ADDITIONAL downlights are fitted or are not LED, this certification will be invalid unless insulation is added in compliance with NCC (RGA) Vol 2, 2014, Table 3.12.1.1 (b) and NatHERS protocols. Contact the assessor above if alterations are required.		
Energy (All Dwellings)		
Hot water	Specification	Rating
Individual system	Gas instantaneous	5 star
Ventilation		
Bathroom exhaust	Individual fan, ducted to facade or roof	
Control switch	Manual switch on/off	
Kitchen exhaust	Individual fan, ducted to facade or roof	
Control switch	Manual switch on/off	
Laundry	Individual fan, ducted to facade or roof	
Control switch	Manual switch on/off	
Cooling		
Individual systems - living areas	1-phase airconditioning	EER 3.0 - 3.5
Individual systems - bedroom areas	1-phase airconditioning	EER 3.0 - 3.5
Heating		
Individual systems - living areas	1-phase airconditioning	EER 3.0 - 3.5
Individual systems - bedroom areas	1-phase airconditioning	EER 3.0 - 3.5
Appliances		
Cooktop/oven	Gas cooktop & electric oven	
Ventilated fridge space	Yes	
Private outdoor clothes drying line	Yes	

Sheet List			
Number	Name	Current Revision	Current Revision Date
00	Cover Sheet	J	10/11/20
01	Site Analysis	G	20/07/09
02	Site Plan	G	20/07/09
03	Basement 1 Plan	G	20/07/09
04	Ground Floor Plan	J	10/11/20
05	Level 1 Floor Plan	G	20/07/09
06	Level 2 Floor Plan	G	20/07/09
07	Level 3 Floor Plan	G	20/07/09
08	Level 4 Floor Plan	G	20/07/09
09	Level 5 Floor Plan	G	20/07/09
10	Level 6 Floor Plan	G	20/07/09
11	Roof Plan	G	20/07/09
12	Adaptable & Livable Plan	G	20/07/09
13	East Elevation - Keira Street	J	10/11/20
14	South Elevation - Ellen Street	G	20/07/09
15	West Elevation	G	20/07/09
16	North Elevation	G	20/07/09
17	Street Elevation	G	20/07/09
18	Section 1	G	20/07/09
19	Section 2	G	20/07/09
20	Section 3	G	20/07/09
21	Area Calculation Plans	G	20/07/09
22	Construction Management Plan & Demolition Details	G	20/07/09
23	Waste Management Plan	G	20/07/09
24	External Finishes Schedule	H	03/09/20
25	SEPP 65 Compliance	G	20/07/09
26	Shadow Diagram	G	20/07/09
27	Shadow Diagrams - Future Context	G	20/07/09
28	Sections	G	20/07/09
29	Potential Development No.288 Keira St	G	20/07/09
31	Perspectives	H	03/09/20
32	Gate Procedure		
NN	Neighbour Notification	D	30/10/19

Room Schedule		
Unit No	Type	Area
1.01	2 BED	84 m²
1.02	1 BED	54 m²
1.03	2 BED	87 m²
1.04	2 BED	87 m²
1.05	2 BED	80 m²
1.06	2 BED L	88 m²
2.01	2 BED	84 m²
2.02	1 BED	54 m²
2.03	2 BED	87 m²
2.04	2 BED	87 m²
2.05	2 BED A	91 m²
2.06	2 BED L	88 m²
3.01	2 BED	84 m²
3.02	1 BED	54 m²
3.03	2 BED	87 m²
3.04	2 BED	87 m²
3.05	2 BED A	91 m²
3.06	2 BED L	88 m²
4.01	2 BED	84 m²
4.02	1 BED	54 m²
4.03	2 BED	87 m²
4.04	2 BED	87 m²
4.05	2 BED A	91 m²
4.06	2 BED L	88 m²
5.01	2 BED	84 m²
5.02	1 BED	54 m²
5.03	2 BED	87 m²
5.04	2 BED	87 m²
5.05	2 BED A	91 m²
5.06	2 BED	88 m²
6.01	3 BED	122 m²
6.02	3 BED	131 m²
6.03	3 BED	111 m²
6.04	2 BED	88 m²
G.01	COMMERCIAL 1	110 m²
G.03	COMMERCIAL 2	188 m²

DEVELOPMENT SUMMARY			
Site Area	=	1349m²	
Zone	=	B3	
Max FSR	=	2.8:1 (3835m²)	
Min landscaping	=	n/a	
Proposed FSR	=	2.7:1 (3601m²)	
Residential Unit Types	=	5 (1 Bed <70m2) 26 (2 Bed 70-110m2) 1 (3 Bed 70-110m2) 2 (3 Bed >110m2)	
Total No of Residential Units	=	34	
PARKING			
Min. Residential Visitors	=	6.8	
Min. Residents	=	33.25	
Min. Commercial	=	5	
Provided Residential Visitors	=	7	
Provided Residents	=	38	
Provided Commercial	=	5	
Total	=	50	
No of Motorbikes	=	4	
No of Bicycles	=	16	



Issue	Description	Date
A	Issue for Consultants	19/09/19
B	Issue for Consultants	20/09/19
C	Issue to Consultants	21/10/19
D	DA Issue	30/10/19
E	Issue to Consultants	7/6/20
F	Issue To Consultants	24/06/20
G	Revised DA	20/07/09
J	Additional notes	10/11/20

DEVELOPMENT APPLICATION

Figured dimensions only to be used. Do not scale off Drawings. Any discrepancies to be verified on site.
It is a requirement that all building materials installed to the drawings & specifications provided by Couvaras Architects must be compliant with the National Construction Code, the Building Code of Australia, the Australian Standards and any other applicable laws or regulations.

NOT FOR CONSTRUCTION

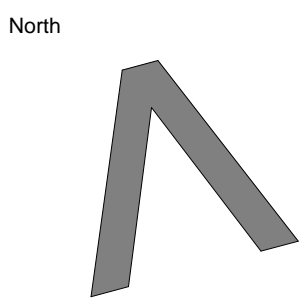
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Nominated Architect: Peter Couvaras Reg No. 7344

Project
290-294 Keira Street,
Wollongong

Client
290 Keira Street PTY LTD

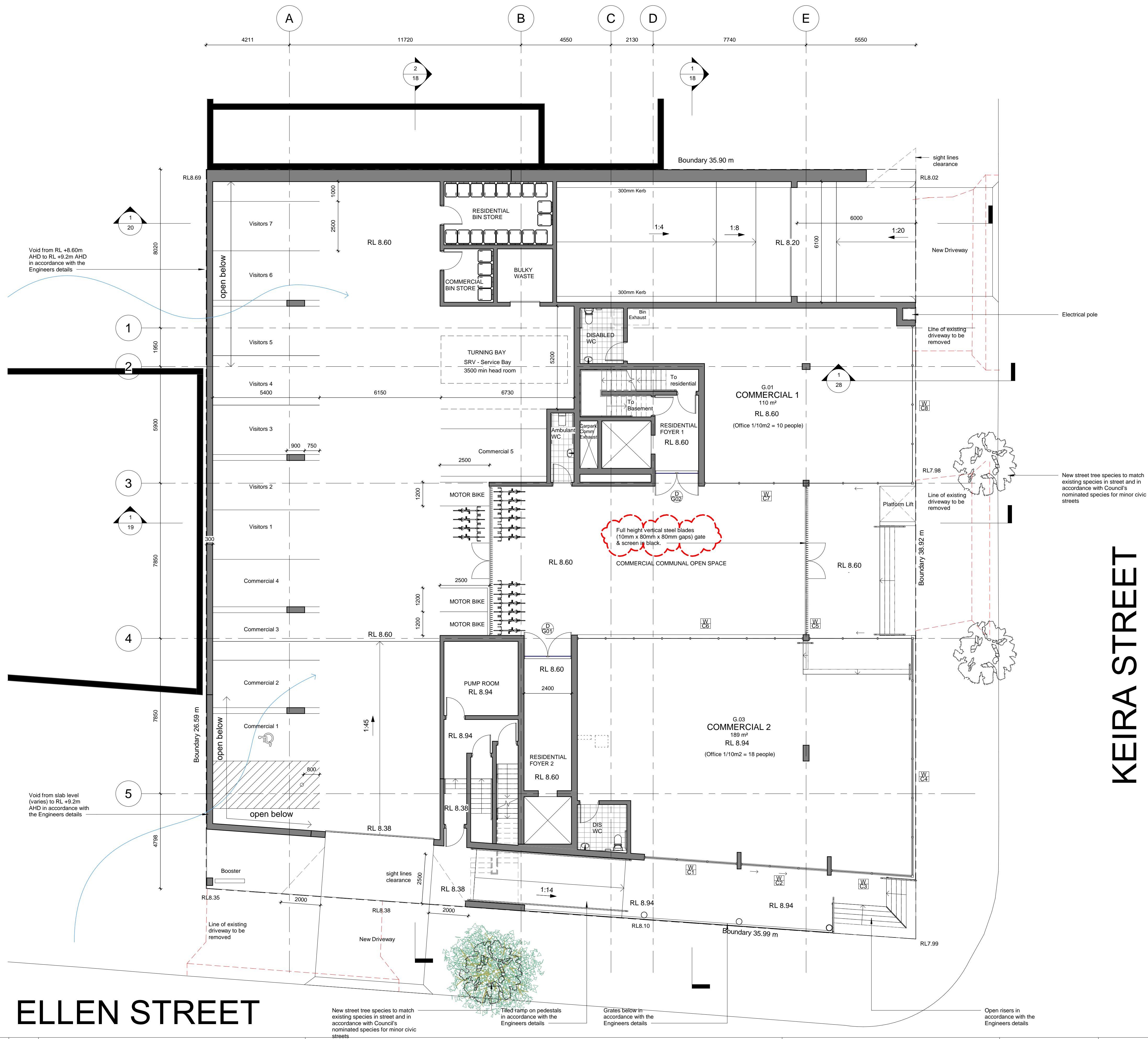


Drawing Name
Cover Sheet

Project Date
09 Aug 2019
Scale @ A1

Project No.
1912
Issue No.
Issue J

Sheet No.
00



Issue	Description	Date
B	Issue for Consultants	20/09/19
C	Issue to Consultants	21/10/19
D	DA Issue	30/10/19
E	Issue to Consultants	7/6/20
F	Issue To Consultants	24/06/20
G	Revised DA	20/07/09
I	Revised Entry	29/10/20
J	Additional notes	10/11/20

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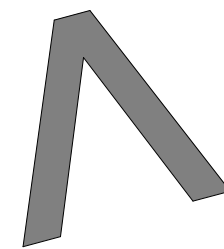
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North



Drawing Name
Ground Floor Plan

Project Date
09 Aug 2019

Scale
Scale 1 : 100 @ A1

Project No.
1912

Issue No.
Issue J

Sheet No.

04

Material Schedule Elevations	
Material: Mark	Material: Description
Ba1	Glass Balustrade
Cla01	Non combustible Cladding
Conc1	Off form Concrete
FC	Fibre Cement Cladding
Msn01	Cement Render - painted Monument
Msn02	Brickwork - White
Ren01	Cement Render - painted



Issue	Description	Date
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290-294 Keira Street, Wollongong

Client
290 Keira Street PTY LTD

Drawing Name
East Elevation - Keira Street

Project Date
09 Aug 2019

Scale
Scale 1 : 100 @ A1

Project No.
1912

Issue No.
Issue J

Sheet No.

13

Attachment 3

